

02/26/02



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02-27-02

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No.:

IDF 1748 (4000-05800)

First Inventor or Application Identifier

Douglas W. Clark, et al.

Title

**A Distributed Computer Network Having a Rotating
Message Delivery System Suitable for Use in Load
Balancing and/or Messaging Failover**

Express Mail Label No.

EV 066679985 US

I. APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g. PTO/SB17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See (Submit an original, and a duplicate for fee processing)
3. ☒ Specification [Total Pages]: **60**
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) Total Sheets: **4**
5. ☒ Oath or Declaration Total Pages: **2**
- a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - 1. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
Named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet See 37 CFR 1.76

**ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, DC 20231**

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer
Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submissions
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement [] Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19 CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) **21396** or ☒ Correspondence address below

NAME Steven J. Funk

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Name (Print Type) Michael W. Piper

Registration No. (Attorney/Agent)

39,800

Signature

Michael W. Piper

Date: February 26, 2002

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FEE TRANSMITTAL FY 2002 Patent fees are subject to annual revision.		Complete if Known	
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Douglas W. Clark, et al.
		Group Art Unit	Unknown
		Examiner Name	Unknown
TOTAL AMOUNT OF PAYMENT	(\$) 866.00	Attorney Docket Number	IDF 1748 (4000-05800)

METHOD OF PAYMENT 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account Number 21-0765 Deposit Account Name: Sprint <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money <input type="checkbox"/> Other Order		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130</td><td>205 65</td><td>Surcharge - late filing fee or oath</td><td>\$</td></tr> <tr><td>127 50</td><td>227 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td>139 130</td><td>139 130</td><td>Non-English specification</td><td>\$</td></tr> <tr><td>147 2,520</td><td>147 2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td>\$</td></tr> <tr><td>112 920*</td><td>112 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>\$</td></tr> <tr><td>113 1,840*</td><td>113 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>\$</td></tr> <tr><td>115 110</td><td>215 55</td><td>Extension for reply within first month</td><td>\$</td></tr> <tr><td>116 400</td><td>216 200</td><td>Extension for reply within second month</td><td>\$</td></tr> <tr><td>117 920</td><td>217 460</td><td>Extension for reply within third month</td><td>\$</td></tr> <tr><td>118 1,440</td><td>218 720</td><td>Extension for reply within fourth month</td><td>\$</td></tr> <tr><td>128 1,960</td><td>228 980</td><td>Extension for reply within fifth month</td><td>\$</td></tr> <tr><td>119 320</td><td>219 160</td><td>Notice of Appeal</td><td>\$</td></tr> <tr><td>120 320</td><td>220 160</td><td>Filing a brief in support of an appeal</td><td>\$</td></tr> <tr><td>121 280</td><td>221 140</td><td>Request for oral hearing</td><td>\$</td></tr> <tr><td>138 1,510</td><td>138 1,510</td><td>Petition to institute a public use proceeding</td><td>\$</td></tr> <tr><td>140 110</td><td>240 55</td><td>Petition to revive - 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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Michael W. Piper	Registration No. (Attorney/Agent)	39,800	Telephone	(972) 731-2288
Signature	<i>Michael W. Piper</i>			Date	2/26/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor :	Douglas W. Clark, et al.
	Title:	A Distributed Computer Network Having a Rotating Message Delivery System Suitable for Use in Load Balancing and/or Messaging Failover
	Attorney Docket Number	1748 (4000-05800)
	Express Mail Label No.	EV 066679985 US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2/26/2002
Date

Michael W. Piper
Signature
Michael W. Piper
Registration Number 39,800

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**